

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK

NOVAGOLD RESOURCES, INC.,

*Plaintiff,*

v.

J CAPITAL RESEARCH USA, LLC,

*Defendant.*

CIVIL ACTION

ECF CASE

Case No.: 1:20-cv-02875 (LDH)(PK)

**MOTION FOR  
PRO HAC VICE ADMISSION**

Pursuant to Rule 1.3 of the Local Rules of the United States Courts for the Southern and Eastern District of New York, David M. Genender hereby moves this Court for an Order for admission to practice *Pro Hac Vice* to appear as counsel for Plaintiff NOVAGOLD Resources Inc. (“NOVAGOLD” or “Plaintiff”) in the above-captioned action.

I am a member in good standing of the Bar of the State of Texas, there are no pending disciplinary proceedings against me in any state or federal court, I have never been convicted of a felony, and I have never been censured, suspended, disbarred or denied admission or readmission by any court. I have attached hereto the required affirmation pursuant to Local Rule 1.3, I have requested *Pro Hac Vice* electronic filing privileges through the PACER website, and I have paid all required fees.

Dated: July 12, 2021

Respectfully submitted,

BAKER BOTTS L.L.P.

By: /s/ David M. Genender  
David M. Genender  
2001 Ross Avenue, Suite 900  
Dallas, Texas 75201  
Tel.: (214) 953-6500

Fax: (214) 953-6503  
david.genender@bakerbotts.com

*Counsel for Plaintiff NOVAGOLD Resources Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 12<sup>th</sup> day of July 2021, true and correct copies of the MOTION FOR *PRO HAC VICE* ADMISSION, AFFIIRMATION OF DAVID M. GENENDER, and [PROPOSED] ORDER GRANTING MOTION FOR *PRO HAC VICE* ADMISSION were filed with the Clerk of the Court, Eastern District of New York, and will be sent via email and electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ David M. Genender  
David M. Genender

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK

NOVAGOLD RESOURCES, INC.,

*Plaintiff,*

v.

J CAPITAL RESEARCH USA, LLC,

*Defendant.*

CIVIL ACTION

ECF CASE

Case No.: 1:20-cv-02875 (LDH)(PK)

**AFFIRMATION OF DAVID M. GENENDER IN SUPPORT OF  
MOTION FOR ADMISSION *PRO HAC VICE***

DAVID M. GENENDER, being sworn, hereby deposes and affirms as follows:

1. I am a partner at the law firm of Baker Botts L.L.P., located in Dallas, Texas.
2. I submit this affirmation in support of my Motion for *Pro Hac Vice* Admission to appear as counsel for Plaintiff NOVAGOLD Resources Inc. (“Plaintiff”) in the above captioned matter.
3. As shown in the Certificate of Good Standing annexed hereto, I am a member in good standing of the Bar of the State of Texas.
4. There are no pending disciplinary proceedings against me in any State or Federal Court.
5. I have not been convicted of a felony.
6. I have not been censured, suspended, disbarred or denied admission or readmission by any court.

7. I respectfully request to be permitted to appear as counsel and advocate *pro hac vice* in this one case for Plaintiff.

Dated: July 12, 2021

/s/ David M. Genender

David M. Genender

# The Supreme Court of Texas

AUSTIN

CLERK'S OFFICE

I, **BLAKE HAWTHORNE**, Clerk of the Supreme Court of Texas, certify that the records of this office show that

**David Michael Genender**

was duly admitted and licensed as an attorney and counselor at law by the Supreme Court of Texas on the 4th day of November, 1994.

I further certify that the records of this office show that, as of this date

**David Michael Genender**

is presently enrolled with the State Bar of Texas as an active member in good standing.

**IN TESTIMONY WHEREOF** witness my signature



and the seal of the Supreme Court of Texas at the City of Austin, this, the 8th day of July, 2021.

BLAKE HAWTHORNE, Clerk

Blake A. Hawthorne  
Clerk, Supreme Court of Texas

No. 4357C.1